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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE SEAGATE TECHNOLOGY LLC
LITIGATION

CONSOLIDATED ACTION

No. 3:16-cv-00523-JCS

FURTHER JOINT CASE MANAGEMENT
STATEMENT

DATE: May 3, 2019
TIME: 2:00 p.m.
DEPT: Hon. Joseph C. Spero
Courtroom G, 15th Floor

Complaint filed: May 9, 2016

1 The parties submit this further joint case management statement pursuant to the Standing
2 Order for Judges of the Northern District of California and Civil Local Rule 16-9. A case
3 management conference is scheduled in this matter on May 3, 2019.

4 **I. JOINT CASE MANAGEMENT STATEMENT**

5 **1. Jurisdiction and Service**

6 There are no outstanding issues regarding jurisdiction and service.

7 **2. Facts**

8 The parties have extensively discussed the facts in the prior motions for class certification
9 and do not repeat them here.

10 **3. Legal Issues**

11 The parties have extensively discussed the legal issues in the prior motions for class
12 certification and do not repeat them here.

13 **4. Motions**

14 There are no outstanding motions at this time.

15 **5. Amendment of Pleadings**

16 The parties do not expect to amend pleadings at this time.

17 **6. Evidence Preservation**

18 Plaintiffs are unaware of any issues relating to evidence preservation at this time.

19 **7. Disclosures**

20 Both parties have complied with the initial disclosure requirements of Federal Rule of Civil
21 Procedure 26.

22 **8. Discovery**

23 The parties do not expect to undergo any additional discovery at this time.

24 **9. Class Actions**

25 The court has denied class certification in this matter and plaintiffs are proceeding to resolve
26 their individual claims.

1 **10. Related Cases**

2 As previously reported by the parties, a putative class action containing similar allegations
3 about Seagate's 3TB hard drives is currently pending in San Francisco Superior Court, *Pozar v.*
4 *Seagate Technology LLC*, No. CGC-15-547787 (filed September 4, 2015) (alleging California class).
5 Judge Karnow certified a California class under UCL and CLRA based on omissions.

6 **11. Relief**

7 Plaintiffs seek damages based on Seagate's failure to disclose the unreliability of its drives.

8 **12. Settlement and ADR**

9 The parties have documented the terms of a settlement, and are gathering signatures on a
10 settlement agreement. Because the parties have agreed to a settlement that resolves the case in its
11 entirety, Plaintiffs expect to file a motion for dismissal in the next ten days.

12 **13. Consent to Magistrate Judge for All Purposes**

13 The parties have consented to a Magistrate Judge for all purposes.

14 **14. Other References**

15 The parties do not believe the case is suitable for reference to binding arbitration, a special
16 master, or the Judicial Panel on Multidistrict Litigation.

17 **15. Narrowing of Issues**

18 The parties are not aware of issues that can be narrowed by agreement or motion at this time.

19 **16. Expedited Trial Procedure**

20 The parties do not believe that this case can be handled under the Expedited Trial Procedure
21 of General Order 64.

22 **17. Scheduling**

23 Because the parties are in the process of finalizing a settlement agreement, Plaintiffs
24 anticipate filing a motion to dismiss within the next fourteen days.

25 **18. Trial**

26 The parties have reached a settlement in principle and do not expect to proceed to trial.
27
28

1 **19. Disclosure of Non-Party Interested Entities or Persons**

2 Plaintiffs are unaware of any non-parties who have either (i) a financial interest in the subject
3 matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be
4 substantially affected by the outcome of the proceeding.

5 **20. Professional Conduct**

6 The parties have reviewed the Guidelines for Professional Conduct for the Northern District
7 of California.

8 **21. Other**

9 The parties are unaware of any other matters that may facilitate the just, speedy and
10 inexpensive disposition of this matter.

11 DATED: April 26, 2019

HAGENS BERMAN SOBOL SHAPIRO LLP

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13 By /s/ Shana E. Scarlett
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22
23 DATED: April 26, 2019

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Shana E. Scarlett, am the ECF User whose identification and password are being used to file this Further Joint Case Management Statement. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

/s/ Shana E. Scarlett
SHANA E. SCARLETT